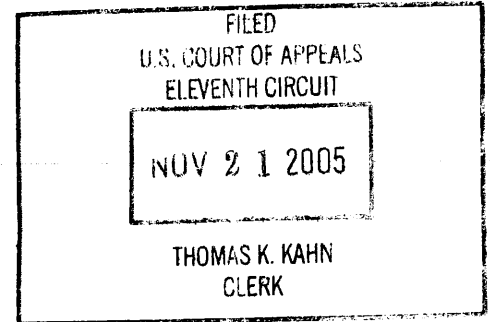


IN THE UNITED STATES COURT OF APPEALS
RECEIVED
FOR THE ELEVENTH CIRCUIT

2005 NOV 23 P 1:22

DEBRA K. HANNETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA
No. 05-13716-E



RONNIE FENN,

Plaintiff-Appellant,

versus

TERRY S. KING,
BURT L. SMITHHART,

Defendants-Appellees.

Appeal from the United States District Court for the
Middle District of Alabama

Before CARNES, MARCUS and PRYOR, Circuit Judges.

BY THE COURT:

Upon reconsideration of this Court's order dated September 29, 2005, appellant's motion for leave to proceed on appeal is DENIED and the appeal is DISMISSED because it is frivolous. See 28 U.S.C. § 1915(e)(2)(B)(i); Wilkinson v. Dotson, 544 U.S. ___, 125 S.Ct. 1242, 1247-48, 161 L.Ed.2d 253 (2005); Stump v. Sparkman, 435 U.S. 349, 355-57, 98 S.Ct. 1099, 1104-05, 55 L.Ed.2d 331 (1978).

A True Copy - Attached:
Clerk U.S. Court of Appeals,
Eleventh Circuit
By Glenn Powell
Deputy Clerk
Atlanta, Georgia